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6
7 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,
9
Plaintiff,
10
v.
11 ROBERT GEORGE BEANE,
12
Defendant.

Case No. 2:23-mj-0877-DJA

**Stipulation to Extend Deadlines to
Conduct Preliminary Hearing and
File Indictment (Fifth Request)**

13
14 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
United States Attorney, and Mina Chang, Assistant United States Attorney, counsel for the United
15 States of America, and Rene L. Valladares, Federal Public Defender, and Brian Pugh, Assistant
16 Federal Public Defender, counsel for Defendant Robert George Beane, that the preliminary
17 hearing in the above-captioned case, previously scheduled for September 9, 2024, at 4:00 p.m.,
18 be vacated and continued until a time convenient to the Court, but no earlier than 90 days from
the date of the filing of this stipulation.

19
20 This request requires that the Court extend two deadlines: (1) that a preliminary hearing
be conducted within 14 days of a detained defendant's initial appearance, *see* Fed. R. Crim. P.
21 5.1(c); and (2) that an information or indictment be filed within 30 days of a defendant's arrest,
22 *see* 18 U.S.C. § 3161(b).

1 This stipulation is entered into for the following reasons:

2 1. Federal Rule of Criminal Procedure Rule 5.1(d) provides that “[w]ith the
3 defendant’s consent and upon a showing of good cause—taking into account the public interest
4 in the prompt disposition of criminal cases—a magistrate judge may extend the time limits [for
5 preliminary hearings] one or more times.” Here, the parties desire to explore the potential to
6 resolve this matter before the defendant is formally charged by a criminal indictment.

7 2. The government needs additional time to produce additional discovery to defense
8 counsel. Defense counsel will need additional time to review the discovery, conduct additional
9 investigation, and confer with the defendant about how to proceed prior to a preliminary hearing
10 or indictment.

11 3. This continuance is not sought for the purposes of delay, but to allow the defense
12 an opportunity to examine the merits of this case before deciding whether to accept the parties’
13 plea agreement.

14 4. Defendant is not in custody and does not object to the continuance.

15 5. The parties agree to the continuance.

16 6. Denial of this request could result in a miscarriage of justice.

17 7. The additional time requested by this stipulation is excludable in computing
18 the time within which indictment must be filed pursuant to the Speedy Trial Act, 18 U.S.C. §
19 3161(b), and considering the factors under 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv).

8. This is the parties' fifth request for a continuance of the preliminary hearing.

DATED this 5th day of September, 2024.

Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

/s/ Brian Pugh
BRIAN PUGH, AFPD
Assistant Federal Public Defender
Counsel for Defendant Beane

/s/ Mina Chang
MINA CHANG
Assistant United States Attorney
Counsel for the United States

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 ROBERT GEORGE BEANE,

6 Defendant.

No. 2:23-mj-0877-DJA

FINDINGS AND ORDER

7
8 Based on the pending Stipulation between the defense and the government, and good
9 cause appearing therefore, the Court hereby finds that:

10 1. The parties desire to continue the preliminary hearing to facilitate pre-indictment
11 resolution. The government will be providing defense counsel with additional discovery, and
12 defense counsel will need additional time to review the discovery and discuss the case with the
13 defendant prior to a preliminary hearing or indictment. The Court finds good cause to continue
14 the hearing to allow the parties to reach a possible pre-indictment resolution.

15 2. Both counsel for defendant and counsel for the government agree to the
16 continuance.

17 3. Defendant is not in custody and does not object to the continuance.

18 4. The continuance is not sought for the purposes of delay, but to allow the defense
19 an opportunity to examine the merits of this case before a potential resolution can be reached
20 between the parties.

21 5. Denial of this request could result in a miscarriage of justice, and the ends of justice
22 served by granting this request outweigh the best interest of the public and the defendant in a
23 speedy trial.

1 6. The additional time requested by this stipulation is excludable in computing the
2 time within which indictment must be filed pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b),
3 and considering the factors under 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv).

4 THEREFORE, IT IS HEREBY ORDERED that the preliminary hearing in the above-
5 captioned matter currently scheduled for September 9, 2024 at 4:00 p.m. be vacated and continued
6 to **November 18, 2024, at 4:00 p.m.**

7 DATED this 6th day of September, 2024.



HONORABLE DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE